

REMARKS

Claims 1-17 have been examined. Claims 5-9 have been rejected under 35 U.S.C. § 112, first paragraph, claims 1-4 and 10-17 have been rejected under 35 U.S.C. § 103(a).

I. Rejection under 35 U.S.C. § 112, first paragraph

Claims 5-9 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Accordingly, Applicant has amended claim 5 in a manner believed to overcome the rejection. Applicant submits that the features of claim 5 are clearly supported in the non-limiting embodiments on page 22, lines 18-21 and page 25, line 23 to page 26, line 10.

II. Rejection under 35 U.S.C. § 103(a) over (JP 09134090) in view of Hashino in view of U.S.P. US 2002/0131801 to Tomatsu

Claims 1, 3, 10, and 11-12 have been rejected under 35 U.S.C. § 103 as being unpatentable over Hashino in view of Tomatsu.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited references. For example, claim 1 recites that both end portions of a fixing roller extend beyond respective end portions of a pressing roller in the axial direction, such that the extended end portions of the fixing roller are outside the press contact portion. Restricting members are brought into contact with the extended end portions of the fixing roller which are outside the press contact portion.

The above features were discussed during the October 14, 2005 Examiner Interview. As noted on the Interview Summary, Examiner Susan Lee indicated that the above features are patentable over the Hashino and Tomatsu references. In particular, the alleged restriction members 15 of Hashino contact a portion of the alleged fixing roller 1 at portions at which the alleged pressing roller 2 also contacts the alleged fixing roller 1 (i.e., the contact portion). Tomatsu likewise fails to teach or suggest a portion “outside of” a press contact portion, nor does Tomatsu teach or suggest the use of restriction members. Rather, Tomatsu specifically teaches that the heat roller 26 is formed in an arch crown shape and the pressure roller 27 is formed in a *reverse* arch crown shape (para. [0065]; Fig. 6). Accordingly, the rollers 26, 27 are shaped to perfectly mate with each other, and thus, would contact along their entire length (see also para. [0092]). Further, there is no disclosure that one roller is shorter than the other roller, such that a non-contact region, or portion outside a press contact portion, is formed.

In view of the above, Applicant submits that claim 1 is patentable over the cited references and respectfully requests the Examiner to reconsider and withdraw the rejection.

B. Claim 3

Claim 3 recites that a middle portion of each of the restricting members in an axis direction is brought into contact with each of both end edge portions of the fixing roller.

On page 3 of the Office Action, the previous Examiner maintains that the fixed parts 15 (i.e., alleged restriction members) are brought into contact at a portion outside the width of a

paper passage. However, claim 3 is in regard to an end edge of a *fixing roller*, not necessarily a width of a *paper passage*. As shown in Figures 2 and 3 of Hashino, the ends of the fixed parts 15 are recessed in from the end edges of the roller 1 in an axial direction. Accordingly, Hashino clearly does not teach or suggest that a middle portion of the fixed parts 15 contact with the end edge portions of the roller 1.

Since Tomatsu fails to teach or suggest the use of restriction members, Applicant submits that, in addition to its dependency upon claim 1, claim 3 is patentable for at least the above reasons.

The above remarks were discussed during the October 14, 2005 Examiner Interview with Examiner Susan Lee. The Examiner indicated that such arguments appear reasonable.

C. Claim 10

Since claim 10 contains features that are analogous to the features recited in claim 1, Applicant submits that claim 10 is patentable for at least analogous reasons as claim 1.

D. Claims 11, 12 and 16

Since claims 11, 12 and 16 are dependent upon claim 10, Applicant submits that such claims are patentable at least by virtue of their dependency.

III. Rejection under 35 U.S.C. § 103(a) over Hashino in view of Tomatsu, and further in view of USP 4370051 to Matsuyama et al. (“Matsuyama”)

Claims 2, 4, 13-15, and 17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hashino in view of Tomatsu, and further in view of Matsuyama.

A. Claim 2

Applicant submits that claim 2 is patentable over the cited references. For example, claim 2 recites that an outer edge portion of each of the restricting members is arranged outside of each of both end edge portions of the fixing roller in the axial direction. Applicant submits that none of the cited references teach or suggest such a feature. Further, as noted on the Interview Summary, the Examiner acknowledges that the above feature of claim 2 overcomes the Hashino, Tomatsu and Matsuyama references.

In addition, since claim 2 is dependent upon claim 1, and Matsuyama fails to cure the deficient teachings of Hashino and Tomatsu, in regard to claim 1, Applicant submits that claim 2 is patentable at least by virtue of its dependency.

B. Claim 4

Since claim 4 contains features that are analogous to the features recited in claim 2, Applicant submits that claim 4 is patentable for at least analogous reasons as set forth above.

C. Claim 13

Claim 13 recites that a side edge of the restricting member, which is farthest from the second region of the first roller, is located farther from the second region than an end edge of the first roller. In other words, the side edge of the restricting member extends outside the end edge of the fixing roller. Accordingly, Applicant submits that claim 13 is patentable for at least analogous reasons as set forth for claim 2. During the October 14, 2005 Examiner Interview, the Examiner indicated that the current recitations of claim 13 appear sufficient to overcome the prior art.

D. Claim 14

Since claim 14 is dependent upon claim 10, and Matsuyama fails to cure the deficient teachings of Hashino and Tomatsu, in regard to claim 10, Applicant submits that claim 14 is patentable at least by virtue of its dependency.

E. Claims 15 and 17

Since claims 15 and 17 contain features that are analogous to the features recited in claim 3, Applicant submits that such claims are patentable for at least analogous reasons as claim 3.

In addition, Applicant submits that claims 15 and 17 are patentable at least by virtue of their respective dependency upon claims 4 or 10.

Amendment under 37 C.F.R. § 1.114(c)
U.S. Application No. 10/727,985

IV. Newly Added Claim

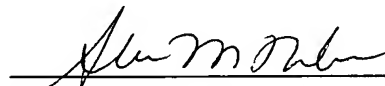
Applicant has added claim 18 to provide more varied protection of the present invention.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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